

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 19TH MARCH 2007 / 28TH PHALGUNA 1928

WP(C).No. 8872 of 2007(F)

PETITIONER:

SAJI D.CHERUVATHOOR, JUNIOR ASSISTANT,
THRISSUR, DAIRY, RAMAVARMAPURAM.

BY ADV. SRI.K.N.CHANDRABABU
SRI.SREEKUMAR T.B.

RESPONDENTS:

1. ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRODUCERS UNION LTD. THRISSUR DAIRY,
RAMAVARMAPURAM, THRISSUR REP. BY ITS MANAGER.
2. THE MANAGING DIRECTOR,
ERNAKULAM REGIONAL CO-OPERATIVE MILK PRODUCERS
UNION LTD., EDAPPALLY, KOCHI.

BY ADV.SRI. B.S. KRISHNAN SR. SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.8872 OF 2007

DATED THIS THE 19th DAY OF MARCH, 2007

JUDGMENT

This writ petition is filed challenging Exts.P4,P6 and P9 orders. Ext.P4 is the charge memo issued to the petitioner by the respondents. Ext.P6 is the order of punishment issued to the petitioner pursuant to the enquiry conducted against him on the basis of Ext.P4 charge memo. Ext.P9 is the order passed by the 2nd respondent reconsidering the matter as directed by this Court in Ext.P8 judgment. Since Exts.P4,P6 and P9 are proceedings in the course of disciplinary action against the petitioner, the petitioner has an effective alternate remedy by way of filing a petition before the Arbitration court under Section 69 (1) of the Act read with Section 69 (2)(d) thereof. Therefore without prejudice to the right of the petitioner avail of that remedy, this writ petition is dismissed.

S. SIRI JAGAN, JUDGE

Acd

